

The Origins of Homesteading Video Transcript

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Title: The Homestead Act 1862-2012: Origins of Homesteading

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ROBERT. The Homestead Act when it was passed in 1862 was the culmination of a lot of dreams by people that had supported the idea of providing free land to the American public. The act was signed by President Abraham Lincoln during the Civil War on May 20th, 1862.

ROBERT. Interestingly, you can find some very distant roots to homesteading going back to 1776, and there was legislation that was passed by the Continental Congress that wanted to provide some benefits to the soldiers that were going to serve in the army against the British for American independence. And so there was a promise made that land would be part of their payment. And so the idea of using federal land to benefit the people, in this case to pay off a war debt, was established very, very early in the nation's history.

ROBERT. Homesteads could be had for free, that is to say you would pay a filing fee, but then if you complied with the terms of the original Homestead Act, you would be able to receive the land without further payment. Altogether you would be paying well under 30 dollars for what would be up to 160 acres of land.

ROBERT. And in each of the land offices that were open at that time in the 1860's and thereafter, you would be filing homestead claims and your homestead application. You would come in and you would pay a small amount of money and then you would, as it were, register your claim on the land, and then that would start a clock ticking to, you would then have to meet certain requirements.

ROBERT. You had to be a citizen or have the intention to become a citizen, which was quite remarkable. What that meant was you could have people that were immigrants that could file for homesteads, and as long as they filed a declaration that they were intending to become citizens, then they could get the land. However, before they could, they also had to become citizens. And one other requirement, certainly for homesteading, there was an age requirement. You had to be 21 or the head of a household. Which would mean that if you had a young married couple, say teenagers, that would be okay, and in that case, almost always the homestead would be claimed by the husband.

ROBERT. In one case, a civil war soldier who was serving in the military who was on home leave to be given the preference to file in a certain land office at Beatrice Nebraska, and he was allowed to be the first in line because he had to get back to his duties as a soldier. His name was Daniel Freeman, and he is generally seen as the first homesteader. And so, his application dates from just moments after midnight on January 1st of 1863, and later that day, after kissing his family goodbye, he took off and went back to become a soldier, he was serving in the Union Army during the Civil War.

ROBERT. If you qualified, in general for homesteading, then you had three things to do: it was to perform agriculture, and then also to live on the land for a certain amount of time, and then to live in a habitable dwelling.

ROBERT. There were specific requirements as to how long a person had to be on the land to minimally meet the requirements. When it was passed in 1862, the requirement was for five years. It didn't mean that a person had to stay all 365 days of the year on the land. As the years rolled by the amount of time on the land decreased, and at one point, it got down to seven months, and what that also did was, in later years, it allowed people to actually go and earn a living off (away from) their homestead so they could have money to support their homesteading, which was basically ironic because the idea of homesteading was to create family farms.

ROBERT. The idea of the sort of the wonderful family farm that everyone wanted to achieve... and in some places that was possible, places like eastern Nebraska and there was some homesteading left in Illinois and the Midwest, but it soon became apparent that there wasn't going to be that kind of land after you passed the 100th parallel and you got on to the plains and drier areas so different solutions had to happen.

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